

EXHIBIT 16

TRANSCRIPTION OF RECORDED INTERVIEW

OF

RAMON SILVA

MAY 9, 2022

MONTEREY PARK, CALIFORNIA

Interviewed by: sergeant Sean Pomerleau,
Sergeant Adam Taylor,
CALIFORNIA HIGHWAY PATROL

The record reflects all relevant statements and
conversations occurring during the course of the
interrogation, but is not verbatim. For clarity,
superfluous words, phrases, verbal pauses and/or inaudible
tones have been eliminated.

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RAMON SILVA

CONFIDENTIAL
SUBJECT TO STIPULATED PROTECTIVE ORDER

MAY 9, 2022
STATEOFCA000040

May 9, 2022

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1
2
3 **Pomerleau:** Good afternoon. Before we get started, I'd
4 like to take the opportunity to go around
5 the table and introduce everybody present by
6 name, ID, what office you're from, and the
7 role you're assigned. I'll start off. My
8 name is Sergeant Pomerleau, Shawn Pomerleau,
9 ID is 16129. I'm with the Southern Division
10 Critical Incident Investigation Team. The
11 case number for this is C22501003. Today's
12 date is May 9th, 2022. It is approximately
13 1359 hours.

14 **Taylor:** Sergeant Adam Taylor, ID 15633, Southern
15 Division Critical Incident Investigation.

16 **Cheek:** Jose Cheek, I'm a representative the
17 California Association of Highway Patrolmen
18 representing Officer Silva.

19 **Silva:** My name is Ramon Silva, ID 19056. I'm a
20 motor officer assigned to the East Los
21 Angeles office.

22 **Johnson:** And Jake Johnson on behalf of Officer Silva
23 from the California Association Highway
24 Patrolmen.

25 **Pomerleau:** Thank you. All right, thank you. Just so

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STATEOFCA000041

RAMON SILVA

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MAY 9, 2022

1 we all know we're here to provide a
2 voluntary statement from Officer Ramon Silva
3 regarding the officer involved shooting that
4 occurred on May 4th, 2022. Just to clarify,
5 the questions we're going to be asking,
6 unless otherwise noted, are for the events
7 that occurred on May 4th only, okay. Just
8 to verify your graduation date from the
9 academy, was it January 2008?

10 **Silva:** No, sir.

11 **Pomerleau:** When was your -- when was your graduation
12 date?

13 **Silva:** July.

14 **Pomerleau:** July, okay.

15 **Silva:** Reported January.

16 **Pomerleau:** Got it. On the day of the incident, what
17 was your call sign?

18 **Silva:** Mary 2.

19 **Pomerleau:** Who was your direct supervisor that day?

20 **Silva:** Acting Sergeant Officer Keene.

21 **Pomerleau:** Tell me about the 24 hours prior to your
22 shooting.

23 **Johnson:** He's not going to answer that unless he's
24 being compelled.

25 **Pomerleau:** Noted. What was the last shift you worked

1 prior to the shift on which this incident
2 took place?

3 **Silva:** The day before.

4 **Pomerleau:** And did you work your normal hours on that
5 day?

6 **Silva:** Yes.

7 **Pomerleau:** Did you work any extended shift hours at the
8 day prior to.

9 **Johnson:** Also, not going to answer unless he's being
10 compelled.

11 **Pomerleau:** What time did you go to sleep on May 3rd,
12 2022?

13 **Johnson:** Also, not going to answer unless he's been
14 compelled.

15 **Pomerleau:** What time did you wake up on May 4th, 2022?

16 **Silva:** I woke up probably about 4:00 in the
17 morning.

18 **Pomerleau:** Where you on time for briefing the morning
19 of the incident?

20 **Silva:** I don't attend briefings, sir.

21 **Pomerleau:** You go 10-8 from the field?

22 **Silva:** Yes, sir.

23 **Pomerleau:** Upon going 10-8 in the area, did you
24 immediately start receiving calls?

25 **Silva:** Huh-uh. No.

1 **Pomerleau:** Do you have any secondary employment?
2 **Silva:** Also not going to answer unless he's being
3 compelled.
4 **Pomerleau:** Did you consume any alcoholic beverages
5 within 24 hours leading to this incident?
6 **Silva:** Also not going to answer unless he's being
7 compelled.
8 **Pomerleau:** Do you take any prescription medication?
9 **Silva:** Also not going to answer unless he's being
10 compelled.
11 **Pomerleau:** Do you use any type of illegal drugs.
12 **Silva:** No.
13 **Pomerleau:** Do you have any medical conditions that
14 might impact your judgment or physical
15 abilities?
16 **Silva:** No.
17 **Pomerleau:** We're you injured during this incident?
18 **Silva:** Not that you can see.
19 **Pomerleau:** Were you seen by a — by a physician for any
20 injuries as a result of this incident?
21 **Silva:** No.
22 **Pomerleau:** Do you have any vision problems?
23 **Silva:** No.
24 **Pomerleau:** Do you wear glasses, prescription glasses?
25 **Silva:** I wear contacts.

1 Pomerleau: What is your measure of vision acuity?
2 Silva: I don't know, sir.
3 Pomerleau: Was your nameplate on your uniform the day
4 of the incident?
5 Silva: Yes
6 Pomerleau: Were you wearing a jacket?
7 Silva: No.
8 Pomerleau: Were you wearing a gun belt on the day of
9 the incident?
10 Silva: Yes.
11 Pomerleau: Were *you* wearing your department-issued
12 firearm?
13 Silva: Yes.
14 Pomerleau: What is the color of your firearm?
15 Silva: Black.
16 Pomerleau: Is this the firearm you discharged the
17 morning of the incident?
18 Silva: Yes.
19 Pomerleau: Has there been any special modifications to
20 your firearm?
21 Silva: No.
22 Pomerleau: Does your weapon have a mounted light?
23 Silva: No.
24 Pomerleau: Does it have changed grips?
25 Silva: No.

1 **Pomerleau:** Were you using department-issued ammunition
2 at the time of the incident?
3 **Silva:** Yes.
4 **Pomerleau:** Were you trained to use this firearm at the
5 academy or transitioned in the field?
6 **Silva:** In the field.
7 **Pomerleau:** Do you recall the last date of your
8 department qualification?
9 **Silva:** No.
10 **Pomerleau:** Were you carrying a secondary firearm on
11 your person the date and time of the
12 incident?
13 **Silva:** No.
14 **Pomerleau:** Were you carrying an ammo pouch?
15 **Silva:** Like mag pouches?
16 **Pomerleau:** Mag pouch.
17 **Silva:** Yes ..
18 **Pomerleau:** Was it a department-issued ammunition pouch
19 or magazine pouch?
20 **Silva:** Yes, sir.
21 **Pomerleau:** How many do you carry on your belt?
22 **Silva:** Total of two magazine pouches which hold,
23 like, four magazines.
24 **Pomerleau:** Were you wearing a ECD, electronic control
25 device?

1 **Silva:** Yes, sir.

2 **Pomerleau:** Were you wearing your RCB, rapid containment
3 baton impact weapon?

4 **Silva:** Yes, sir.

5 **Pomerleau:** Were you wearing handcuffs?

6 **Silva:** I had some on my duty belt, but I wasn't —
7 yes.

8 **Pomerleau:** Were you wearing a handheld radio?

9 **Silva:** Yes.

10 **Pomerleau:** Anything else on your belt?

11 **Silva:** That's it.

12 **Pomerleau:** Is there's any special equipment you carry
13 on your belt other than what you just
14 mentioned above?

15 **Silva:** Correct.

16 **Pomerleau:** There is no other special equipment other
17 than what we mentioned above or?

18 **Silva:** I'm kind of confused of the question. I
19 have no other special equipment other than
20 what you just described, sir.

21 **Pomerleau:** Thank you. The day of the — the date and
22 time of the incident were you wearing a
23 department-approved helmet?

24 **Silva:** A what, sir?

25 **Pomerleau:** A department-approved helmet.

1 **Silva:** Yes sir.

2 **Pomerleau:** Motor helmet. Were you wearing sunglasses?

3 **Silva:** Yes.

4 **Pomerleau:** Were you photographed in uniform after the
5 incident?

6 **Silva:** Yes.

7 **Pomerleau:** By whom?

8 **Silva:** I don't know who, sir.

9 **Pomerleau:** When you were photographed, was that how you
10 were at the time of the incident or did you
11 remove anything?

12 **Silva:** It was exactly how I was dressed the date
13 and time of the incident?

14 **Pomerleau:** Was your uniform damaged as a result of the
15 incident?

16 **Silva:** No.

17 **Pomerleau:** Was any of your equipment damaged during the
18 incident?

19 **Silva:** No.

20 **Pomerleau:** I understand you said that you wore body-
21 worn camera. Was the video functioning at
22 the time of the incident?

23 **Silva:** Yes.

24 **Pomerleau:** Do you edit body-worn camera footage prior
25 to booking it into evidence?

1 **Silva:** No.

2 **Pomerleau:** Do you fill out a 36D at the end of the
3 shift? Would you?

4 **Silva:** No.

5 **Pomerleau:** On the date and time of the incident, what
6 was the make and model of your patrol
7 motorcycle?

8 **Silva:** It's a Harley Davidson FLH TP. It's
9 essentially an Electra Glide Police Model.

10 **Pomerleau:** And was it fully marked, a fully marked CHP
11 patrol motorcycle?

12 **Silva:** Yes sir.

13 **Pomerleau:** Was the patrol motorcycle equipped with a
14 forward red light and where your emergency
15 lights activated during this incident,
16 meaning code three?

17 **Silva:** Yes sir.

18 **Pomerleau:** And is this patrol motorcycle equipped with
19 blue lights and red lights?

20 **Silva:** Yes.

21 **Pomerleau:** Is it a patrol vehicle motorcycle — patrol
22 motorcycle equipped with a siren?

23 **Silva:** Yes.

24 **Pomerleau:** With the siren activated?

25 **Silva:** When, sir?

1 **Pomerleau:** Anytime during your response?

2 **Silva:** Yes.

3 **Pomerleau:** Is the patrol motorcycle your assigned a
4 patrol motorcycle?

5 **Silva:** Yes.

6 **Pomerleau:** Were you solo on your patrol motorcycle?

7 **Silva:** Yes.

8 **Pomerleau:** If there were any malfunctions to your
9 lights or siren, would you have taken out
10 these — this particular patrol motorcycle?

11 **Silva:** Absolutely.

12 **Pomerleau:** Let me let me rephrase the question again._
13 If there were any malfunctions to your
14 lights and your siren, would you have taken
15 out this particular patrol vehicle?

16 **Silva:** Are you asking if there was, like, defective
17 lights, siren —

18 **Pomerleau:** Yeah, if there was anything defective.

19 **Silva:** — and jumped on another bike?

20 **Pomerleau:** Would you — no. Would you have taken this
21 patrol vehicle — this patrol motorcycle out
22 if —

23 **Silva:** I would not have, sir. I would have parked
24 it in the motor bay and jumped on another
25 functioning motorcycle.

1 **Pomerleau:** Got you. What was the location of this
2 incident?

3 **Silva:** Westbound 105 in the approximately area of
4 Garfield Avenue.

5 **Pomerleau:** How would you describe the location of this
6 incident?

7 **Silva:** It's a freeway, urban, densely populated.

8 **Pomerleau:** On the date and time of the incident, were
9 you using East LA's radio frequency during
10 the call for service?

11 **Silva:** Yes.

12 **Pomerleau:** When you received the call for service, can
13 you tell me about your initial mindset?

14 **Silva:** Well, to clarify, I did not personally
15 receive this call. You know, I wasn't
16 assigned the call. I just monitored the
17 radio traffic, and I made a conscious
18 decision on my own to respond. My mindset
19 at the time, you know, it's not something I
20 don't feel I can adequately describe in
21 words. You know, I'm a patrolman. There's,
22 you know, I'm just trying to get to the
23 call, sir. In terms of you know, what I'm
24 thinking of, there's not a lot. it's just
25 more of a reaction if I can adequately

1 describe it. So, I just respond to a call.
2 My goal is to take care of business.

3 **Pomerleau:** So, just to go a little bit further into
4 that. How did it make you feel inside?
5 Like, anything out of the ordinary hearing
6 in this particular call come out over the
7 air?

8 **Silva:** Initially, no. Unfortunately, we get calls
9 like this almost regularly.

10 **Pomerleau:** How many pedestrian calls approximately have
11 you investigated prior to this one in your
12 — in that particular area?

13 **Silva:** That I — off the top of my head, you know,
14 I can't give you a number but the area's
15 proximity to the LA River and the underpass
16 is, you know, that whole area is a hotbed
17 for, you know, people, transients, people
18 experiencing homelessness walking on the
19 freeway. So, I can't give you an adequate
20 number, but we've received several calls in
21 that general vicinity of people walking on
22 the freeway.

23 **Pomerleau:** Got you. Knowing the nature of pedestrian
24 calls walking on the freeway, did it raise
25 your awareness level in this particular area

1 that's a hotbed?

2 **Silva:** Yes.

3 **Pomerleau:** Did you or anybody else request backup while
4 responding to the call?

5 **Silva:** I requested an airship.

6 **Pomerleau:** All right. Now I'm going to get into when
7 you arrived on scene. When you arrived on
8 scene, did you see anything that went in
9 indicate members of the public were in fear
10 or danger?

11 **Silva:** I don't know, sir. I don't recall.

12 **Pomerleau:** Did you -- did you hear what the pedestrian
13 in the orange work vests was yelling when he
14 ran past you on the shoulder area?

15 **Silva:** No, sir.

16 **Pomerleau:** So, after arriving on scene and seeing that
17 pedestrian running past you and I also
18 noticed that you were waving people around
19 just to get them out of the way, what was --
20 what was going through your mind at this
21 point?

22 **Silva:** Specifically, when I'm waving people away,
23 what was going through our mind was I wanted
24 to isolate the source of the calls. You
25 know, the person who's running in and out of

1 traffic. I wanted to isolate that person,
2 you know, for -- to have our -- you know, to
3 have a tactical advantage. You know, not to
4 get anybody else injured in the process of,
5 you know, effecting an arrest or civilian
6 person.

7 **Pomerleau:** Did the circumstance of this call cause you
8 to draw your firearm upon arriving on scene?

9 **Silva:** Yes.

10 **Pomerleau:** What was the pedestrian involved in this
11 incident doing when you arrived on scene?

12 **Silva:** He had his hands in his pocket.

13 **Pomerleau:** Do you recall seeing anything that
14 pedestrian was doing to make you believe he
15 was a threat?

16 **Silva:** Yes.

17 **Pomerleau:** What was that?

18 **Silva:** He was failing to comply with my commands of
19 showing me his hands.

20 **Pomerleau:** Do you recall the radio traffic you put out
21 upon arriving on scene?

22 **Silva:** Yes.

23 **Pomerleau:** What was that radio traffic?

24 **Silva:** Like I previously said in the previous
25 interview, I was content on just waiting for

1 somebody else to arrive so I don't know
2 exactly what I told dispatch, but I told her
3 that I was on standby for additional units.

4 **Pomerleau:** Upon initial — no, I'm not going to ask
5 that question. You've already answered it.
6 What was your thought process as you watched
7 the pedestrian aggressively walking towards
8 the patrol unit on scene?

9 **Silva:** Well, walking — you stated walking, sir,
10 but he wasn't walking. He was actively
11 running. It was fear. Fear for my
12 partner's life.

13 **Pomerleau:** Did you see the pedestrian's face or hear
14 him say anything prior to approaching the
15 patrol vehicle?

16 **Silva:** I don't recall.

17 **Pomerleau:** Did the suspect gives you any indication he
18 was going to be a threat to you or the other
19 officer on scene?

20 **Silva:** Yes.

21 **Pomerleau:** What indication was that?

22 **Silva:** Failing to comply with my commands to show
23 me his hands and aggressively charging at my
24 partner, who was also on scene.

25 **Pomerleau:** When the pedestrian began to run around the

1 patrol vehicle and was out of your view,
2 what was going through your mind?

3 **Silva:** That I couldn't see. That I lost sight of
4 an armed subject and I didn't know where it
5 was going to pop out from.

6 **Pomerleau:** Where was the other officer in proximity to
7 the pedestrian when the pedestrian was no
8 longer in your line of sight?

9 **Silva:** Are you asking me where -- I'm sorry, can
10 you just rephrase it? Or are you asking me
11 where the patrol car was? Or where the --

12 **Pomerleau:** I was wondering, for the officer, where was
13 he standing when he began to charge behind
14 the car?

15 **Silva:** The officer was -- so the pedestrian was
16 obscured from my view, obviously behind the
17 patrol vehicle and the officer was to the
18 left rear of that patrol vehicle directly in
19 my line, you know, pretty much directly in
20 front of me.

21 **Pomerleau:** Were you in fear of your life or the other
22 officer's lives on the scene.

23 **Silva:** Yes.

24 **Pomerleau:** What did the suspect immediately do upon
25 reappearing from the rear of the patrol

1 vehicle? Please describe in detail.

2 **Silva:** So, he was -- when he reappeared it was
3 simultaneous to the shot I heard being
4 fired. And at that point he was, you know,
5 in the moments thereafter, like I said,
6 like, it happens the blink of an eye. I
7 hear the shot and then I see the person, the
8 pedestrian, still charging towards me and my
9 partner with his hands above his waist
10 directly in front of him, imitating a
11 shooting platform.

12 **Pomerleau:** Did it appear that the pedestrian punched
13 out both his hands and was going to
14 discharge a firearm?

15 **Silva:** Yes.

16 **Pomerleau:** When you discharge your firearm, was there
17 any innocent parties behind the pedestrian?

18 **Silva:** At the time, like I couldn't tell you if
19 there were. Obviously, after the fact, I
20 observed there was a tractor trailer but
21 when I made the conscious decision to fire,
22 I had no recollection.

23 **Pomerleau:** After you discharged your firearm, what did
24 you do next?

25 **Silva:** I advised the my partner that we should seek

1 cover, you know.

2 **Pomerleau:** Did the pedestrian voluntarily give up?

3 **Silva:** No.

4 **Pomerleau:** Did the pedestrian make any spontaneous
5 statements?

6 **Silva:** No.

7 **Pomerleau:** Did you render medical aid to the suspect?

8 **Silva:** Not me personally, sir. But, my partners on
9 scene, yes.

10 **Pomerleau:** Was a request immediately made for the fire
11 department and ambulance to respond
12 afterward?

13 **Silva:** I initially — I don't recall specifically.
14 But I recall hearing somebody say, you know,
15 have fire staged somewhere. But in that
16 moment that we're, you know, having to
17 coordinate with ambulance or fire, a random
18 ambulance just pulled up due to the traffic.

19 **Pomerleau:** Did you notify the communication center that
20 shots had been fired?

21 **Silva:** Not me personally, no.

22 **Pomerleau:** After the shooting, can you tell me why you
23 didn't approach at this point?

24 **Silva:** Because there was a subject, a potentially
25 lethal, dangerous person with his hands

1 concealed from us not complying with any
2 commands. His hands were underneath his
3 body, so I didn't see his hands.

4 **Pomerleau:** That answered my next question perfectly.
5 Did you think he had a weapon?

6 **Silva:** Absolutely.

7 **Pomerleau:** When the third officer arrived on scene, did
8 you formulate a plan to approach the
9 pedestrian and render medical aid.

10 **Silva:** That I can recall, yes.

11 **Pomerleau:** Despite being in a stressful situation, you
12 maintained a level of approach and continued
13 to provide directions to the two other
14 officers on scene. Can you tell me what was
15 going through your mind during that moment?

16 **Silva:** No, sir. Not that I can recall
17 specifically. I mean, the best I can say is
18 that we still have a job to do. We've got
19 to take care of the subject.

20 **Pomerleau:** Who relieved your firearm after the
21 shooting?

22 **Silva:** No one. Not immediately after the shooting.
23 It happened hours, hours after, when I
24 returned back to the office.

25 **Pomerleau:** Is there anything else we have not discussed

1 that you think is pertinent to my
2 investigation you'd like to add?

3 **Silva:** No, sir.

4 **Pomerleau:** Sergeant Taylor, is there anything you would
5 like to add to this interview.

6 **Taylor:** A few clarifying questions. For
7 clarification, you were carrying a total of
8 five magazines including the one in your
9 weapon.

10 **Silva:** Yes, sir.

11 **Taylor:** And one round in the chamber?

12 **Silva:** Yes, sir.

13 **Taylor:** On your personal body-worn camera, what's
14 your daily routine to download data off of
15 it?

16 **Silva:** I plug it into the SIM card, the program
17 that's compatible with it, and I save it on
18 a hard drive that's locked in my desk.

19 **Taylor:** And that --

20 **Silva:** I transfer the video from the body-worn
21 camera onto the hard drive.

22 **Taylor:** On, like, a docking station or?

23 **Silva:** It's a -- oh, it's like a USB cable.

24 **Taylor:** Okay.

25 **Silva:** The audio jack? I don't know the technical

1 term for it.

2 **Taylor:** Is there any -- how do you keep those files
3 like organized or on that hard drive? Do
4 you itemize them? Are they saved by date,
5 or?

6 **Silva:** They just all save automatically by date.

7 **Taylor:** By date?

8 **Silva:** Correct.

9 **Taylor:** Do you know how many shots you fired?

10 **Silva:** I do.

11 **Taylor:** How many?

12 **Silva:** Six.

13 **Taylor:** Why six?

14 **Silva:** Because I did the round count in front of me
15 and that was -- the mag. I did the tactical
16 reload and --

17 **Taylor:** Let me rephrase, I'm sorry. Why didn't you
18 fire five rounds, or why didn't you fire
19 seven rounds?

20 **Silva:** I can't adequately answer that question.
21 I --

22 **Taylor:** Was there still a threat present --

23 **Silva:** Oh, okay.

24 **Taylor:** -- a deadly threat present after four
25 rounds, after five rounds?

1 **Silva:** So, I use the appropriate amount of rounds
2 to essentially neutralize the target —
3 lethal threat.

4 **Taylor:** So, after the fire the sixth round, did you
5 still feel there was a deadly threat
6 present?

7 **Silva:** No.

8 **Taylor:** Okay. As far as fire and ambulance being
9 requested, it would be typical since this
10 call originally came out as a 1179, would
11 fire and ambulance already been rolling into
12 that — into that area?

13 **Silva:** That's accurate, sir.

14 **Taylor:** Okay. You said you didn't notify dispatch
15 that shots had been fired. Did somebody on
16 scene notified dispatch that shots had been
17 fired?

18 **Silva:** Yes, sir.

19 **Taylor:** To the question of who relieved you of your
20 firearm after the shooting, you mentioned
21 that it wasn't directly after the shooting
22 but later back at the office. Do you
23 remember who relieved you of your firearm at
24 that time?

25 **Silva:** I don't recall the person's name, but it was

1 somebody employed by the Department of
2 Justice.

3 **Taylor:** That's all the clarifying questions I have.

4 **Pomerleau:** Okay. With that, we will conclude the
5 interview.

6 **Johnson:** I've got a few.

7 **Pomerleau:** I'm sorry.

8 **Johnson:** Just one thing. Were you aware of -- after
9 the shooting occurred and the events
10 evolved, were you aware of any taser
11 deployment?

12 **Silva:** Not that I can remember. Not that I
13 remember at the time.

14 **Johnson:** Are you aware now that any -- of any Taser
15 deployment.

16 **Silva:** After the fact, yes.

17 **Johnson:** And do you know who deployed a taser after
18 the fact?

19 **Silva:** It was the partner officer. I don't
20 remember his name, but the guy --

21 **Johnson:** The guy -- officer from Santa Fe Springs.

22 **Silva:** Correct.

23 **Johnson:** And did you -- did you hear the word -- any
24 advance warning prior to shooting at the
25 suspect that a taser might be deployed at

1 any time?

2 **Silva:** No.

3 **Johnson:** How about after you shot the suspect? Did
4 you hear anybody say they were going to
5 deploy the taser?

6 **Silva:** No.

7 **Johnson:** Say the word taser or anything related to
8 using taser on somebody?

9 **Silva:** I did not hear any of that.

10 **Johnson:** That's all I have.

11 **Pomerleau:** All right. With that, we'll conclude the
12 interview. Time is now 1429 hours.

13 (Recording Ends)

14 - INTERVIEW CONCLUDED -

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COUNTY OF SACRAMENTO)

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